



Federal Communications Commission  
Washington, D.C. 20554

January 6, 2014

Mark Crosby  
Enterprise Wireless Alliance  
8484 Westpark Drive, Suite 630  
McLean, VA 22102

Re: Request for Clarification of *Order*, DA 12-1915, WT Docket No. 12-17

Dear Mr. Crosby:

This letter is in response to the request of Enterprise Wireless Alliance (EWA)<sup>1</sup> for clarification of the *Order* of the Wireless Telecommunications Bureau's Mobility Division (Division) in WT Docket 12-17.<sup>2</sup> We will consider the clarification request as an informal request for Commission action under Section 1.41 of the Commission's Rules.<sup>3</sup> We grant the request to the extent set forth below.

*Background.* American Time & Signal Company (ATS) manufactures and sells wireless clock systems nationwide to schools, hospitals, and other organizations operating in a large building or campus setting that need to synchronize numerous clocks. Each system uses a system controller (master clock) that transmits brief data signals periodically to associated clocks with wireless receivers. ATS initially believed that the transmitters at its customer locations could be operated indefinitely under its license for Station WQFW336, which authorizes operation of hundreds of temporary base stations nationwide, because the transmitters are moveable and may in fact be relocated over time due to signal coverage considerations or other changes in customer needs. Pursuant to Section 90.137(b) of the Commission's Rules, however, temporary base stations that remain or are intended to remain at the same location for more than one year must be licensed as permanent base stations.<sup>4</sup> Consequently, ATS sought a waiver of the definition of a mobile station as set forth in Section 90.7 of the Commission's Rules to the extent necessary to license its fixed transmitters as mobile units (station class code MO6).

The Division granted ATS's request to permit licensing of its fixed transmitters as mobile units. The Division noted that each customer location could not be licensed as a permanent base station under ATS's existing license because the Commission's Universal Licensing System (ULS) cannot accommodate so many fixed locations under one call sign,<sup>5</sup> and concluded that requiring such licensing would be unduly burdensome for ATS and its frequency coordinators.<sup>6</sup> The Division accordingly granted

---

<sup>1</sup> Request for Clarification dated December 18, 2012 (EWA Request).

<sup>2</sup> See American Time and Signal Company, *Order*, WT Docket No. 12-17, 27 FCC Rcd 14901 (WTB MD 2012) (*Order*).

<sup>3</sup> See 47 C.F.R. § 1.41. Pursuant to our discretion whether or not to consider informal requests for relief, *see, e.g.*, Applications of Nextel Communications, Inc. and Sprint Corporation, WT Docket No. 05-63, *Memorandum Opinion and Order*, 20 FCC Rcd 13967, 14021 n.335 (2005) (citing Applications of AT&T Wireless Services, Inc. and Cingular Wireless Corp., *Memorandum Opinion and Order*, 19 FCC Rcd 21522, 21547 n.196 (2004)), we address herein only EWA's questions regarding the waiver in the *Order*, and not any broader issues beyond the scope of this proceeding.

<sup>4</sup> See 47 C.F.R. § 90.137(b).

<sup>5</sup> See *Order*, 27 FCC Rcd at 14902 ¶ 6.

<sup>6</sup> See *id.* at 14903 ¶ 8.

a waiver allowing ATS to license each site in ULS as a mobile operating area with the system controller located at the center coordinates of the MO6 location, provided that ATS maintains the accuracy of its licensed sites via modifications to its license.<sup>7</sup> The Division concluded that this would provide sufficient information for frequency coordinators and other interested parties to determine the location of ATS's licensed operations, and that requiring ATS to identify those locations by separately licensing each customer location as a permanent fixed site under multiple call signs would impose a burden out of proportion to any benefit.<sup>8</sup>

*Discussion.* In its clarification request, EWA asks whether the requirements of Sections 90.233 (governing base/mobile non-voice operations) and 90.235 (governing secondary fixed signaling operations) of the Commission's Rules<sup>9</sup> apply to ATS's customer locations.<sup>10</sup> ATS argues that these rules do not apply because pursuant to the waiver it conducts mobile operations.<sup>11</sup>

We disagree with ATS's interpretation of the *Order*. The Division granted ATS a waiver with respect to how its customer locations may be licensed in ULS. Nothing in the *Order* or its reasoning suggests that the Division intended to waive any operating rules governing ATS's customer locations or otherwise modify their status. Consequently, all relevant service rules apply to ATS's operations to the same extent as if no waiver had been granted and the system controllers at ATS's customer locations were still licensed as temporary-fixed base stations.

IT IS ORDERED, pursuant to Sections 4(i), 302, and 303(e) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 302, 303(e), and Section 1.41 of the Commission's Rules, 47 C.F.R. § 1.41, that the Request for Clarification filed by Enterprise Wireless Alliance on December 18, 2012 IS GRANTED to the extent set forth above.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION



Scot Stone  
Deputy Chief, Mobility Division  
Wireless Telecommunications Bureau

cc: American Time & Signal Co.  
James Koski  
140 3<sup>rd</sup> Street South  
Dassel, MN 55325

Kenneth E. Hardman  
2154 Wisconsin Ave., N.W., Suite 250  
Washington, DC 20007-2280

---

<sup>7</sup> See *id.* at 14903 ¶ 11.

<sup>8</sup> See *id.* at 14903 ¶ 8.

<sup>9</sup> 47 C.F.R. §§ 90.233, 90.235.

<sup>10</sup> See EWA Request at 2.

<sup>11</sup> See Letter dated January 10, 2013 from Kenneth Hardman to Scot Stone, Deputy Chief, Mobility Division at 2.